

REGULAR
MEETING OF THE BOARD OF TRUSTEES
OF THE EVERGREEN STATE COLLEGE

Thursday, September 8, 1983
The Evergreen State College Campus
Daniel J. Evans Library, Room 3112
Olympia, Washington

Trustees Present: Robert J. Flowers
Herbert Gelman
Thelma A. Jackson
George E. Mante
Jane B. Sylvester

Representatives to the Board
Present: Victor Moore, Staff

Staff Present: Walker Allen, Registrar
Betty Beeman, Administrative Secretary to the President
Mike Bigelow, Executive Assistant to the Vice President
for Business
Rita Cooper, Director of Employee Relations
John Gallagher, Associate Director of Development
Ken Jacob, Director of Auxiliary Services
Patrick Hill, Vice President and Provost
Steve Hunter, Director of Institutional Research
Stan Marshburn, Assistant to the President
Arnaldo Rodriguez, Director of Admissions
Dick Schwartz, Vice President for Business/Acting
President
Ernest Thomas, Director of Educational Support Services
Sue Washburn, Director of College Relations and
Development
Rebecca Wright, Affirmative Action Officer
Byron Youtz, Member of the Faculty
See permanent roster for others attending

Others Attending: Allen Jones, Washington Student Lobby
Rich Montecucco, Senior Assistant Attorney General
See permanent roster for others attending

Prior to calling the meeting to order at 1:40 PM, Chairman Jackson announced that the Board would recess to executive session later in the afternoon to discuss appointing an Acting President to replace President Evans who had been designated to replace Senator Jackson in the U. S. Senate. Trustees then viewed the live coverage of the appointment announced by Governor Spellman.

INTRODUCTION OF NEW STAFF

Sue Washburn introduced to the Board Dr. John Gallagher, Associate Director of Development. Arnaldo Rodriguez introduced Deborah Stansbury, new Admissions Counselor. Patrick Hill introduced Professor Teruhiko Yoshida from Kobe University of Commerce, exchange faculty from Japan this year. Dick Schwartz introduced Paul Bean, new Veterans Administration Coordinator.

INDEMNIFICATION POLICY - Action

Dick Schwartz recommended approval of the indemnification policy previously reviewed by the Trustees.

Motion Mr. Gelman moved approval of the attached policy relating to
83-41 indemnification, with the request that names be removed from
 Attachments A and B. Seconded by Mr. Mante and passed.

The policy will be added to the Evergreen Administrative Code.

PUBLIC HEARING: PARKING AND TRAFFIC POLICY REVISIONS - Action

The Board convened a public hearing to consider revisions to the parking and traffic policy. Ken Jacob reviewed one addition to subsection -250 which explains how the appeal process occurs once the internal appeal has been taken care of on campus.

Motion Under Administrative Procedures Act requirements, Mr. Mante moved
83-42 approval of the attached policy relating to traffic and parking
 rules, WAC 174-116-010 through -270. Seconded by Mr. Flowers and
 passed.

WASHINGTON STUDENT LOBBY - Policy Discussion

Mr. Schwartz pointed out the similarity between the Washington Student Lobby contract and that of the Washington Public Interest Research Group approved by the Board in July.

Allen Jones, WSL Executive Director, presented a memo to the Board regarding the question of constitutionality of a mandatory but refundable fee collection from students. Trustee Gelman did not feel in a position to act on the proposal until the constitutionality issue is clarified. Should there be a constitutional problem, the WashPIRG contract would also have to be reviewed. Allen Jones indicated his memo was intended to clarify the concern but Rich Montecucco asked for time to review the policy prior to action.

Motion Mr. Mante moved to defer action on the Washington Student Lobby
83-43 policy until the October meeting. Seconded by Mr. Flowers and
 passed.

INTERFUND LOAN - Action

Mr. Schwartz recommended approval of an interfund loan to cover the negative balance in the bookstore account on June 30, 1983, and expressed his confidence that next year's report will be better with new policies and leadership in the bookstore. He also predicted a cash surplus situation in two years.

Motion
83-44

Mr. Flowers moved approval of a temporary interfund loan to the bookstore from the Services and Activities operation in the amount of \$65,976.11. Seconded by Mrs. Sylvester and passed.

APPROVAL OF MINUTES - Action

Motion
83-45

Mr. Gelman moved approval of the minutes of the August 11, 1983 meeting as distributed. Seconded by Mr. Mante and passed.

LEGISLATIVE GOALS - Policy Discussion

Stan Marshburn reviewed the two priority legislative goals for the college (gymnasium funding and dedicated capital account); discussed inter-institutional priorities; and responded to Trustee question. Mr. Gelman wondered if the priority for enrollment levels should be higher than No. 3. Mr. Schwartz mentioned several studies of higher education in the state--the Legislative Budget Committee, the 3609 Commission, the Washington Round Table, and the institutions are required to some self-study.

PROPOSED INVESTMENT POLICY - Policy Discussion

Mr. Schwartz reviewed changes in the proposed investment policy: (1) the Board acts as a committee of the whole on matters of finance. (2) investment of funds placed in five financial institutions with a maximum of 30% of the total investment in any one institution. (3) an affirmative action goal requires the college to investigate a bank's South African investments. Trustee Flowers felt it was up to the business office to monitor the financial statements of institutions. Several suggestions were made for alternative wording; no change was made to the language regarding South African investments.

Trustee Gelman suggested a review of the policy six months after adoption.

TUITION WAIVER POLICY FOR VETERANS - Policy Discussion

Mr. Schwartz reviewed a proposed tuition waiver policy for veterans and added under criteria for eligibility "have enrolled in a state college on or before October 1, 1977." VA Coordinator Paul Bean mentioned the enabling legislation (28B.40.361) and endorsed adoption of the policy indicating he felt it would apply to only a small number of veterans. Following further discussion of criteria #2 through #5, Trustees agreed to drop criteria #3 "have successfully completed 48 credit hours of study at Evergreen."

INTERNAL AUDITOR REPORTING LINE CHANGE - Policy Discussion

Mr. Schwartz requested a further minor change (to the May 1982 reorganization of the business area) in order to give the Internal Auditor more visibility and credibility. He recommended the Internal Auditor report directly to the Vice President for Business and indicated that the overall reorganization continues to be positive.

PRESIDENT'S REPORT

Third World Cultural Literacy (Smith)

Barbara Smith told Trustees that Third World cultural literacy continues to be a major goal of the college. She identified three fronts: (1) The college is faced with the task of increasing the presence of Third World students and faculty (a faculty member was hired through the selective certification process and 22 Native American students were recruited for the Indian Education program). (2) The college tries to increase cultural literacy through the curriculum (the Native American Studies specialty area is an example). (3) The third emphasis has been on staff and faculty development in this area.

Chairman Jackson asked whether the college had developed an institutional definition of cultural literacy. Ms. Smith responded that no common definition had been developed by faculty but indicated a policy had been written for the faculty handbook and that the specialty areas were charged to discuss the issue and to develop a plan and definition for their own areas.

Writing Across the Curriculum Grant (Smith)

Barbara Smith reviewed the three-year National Endowment for the Humanities grant she had received to establish writing across the curriculum programs. She also discussed grant activities. The monographs produced have been distributed nationally and are soon to be advertised in the Chronicle of Higher Education.

Report on Vancouver Program (Smith)

Barbara gave a brief report on the current activities and success of the TESC Vancouver outreach program established in 1976. The three programs offered (community studies; management studies; and health and human services) are upper division programs aimed at second-year community college transfers. Anne Turner highlighted the student body make-up and alumni activities.

Progress Report on Vancouver Facilities (Schwartz)

Mr. Schwartz reported continuing efforts to seek new leased space on the Clark Community College campus for the Vancouver program by next fall.

Admissions Statistics (Hunter)

Steve Hunter told Trustees that applications and admissions remain up 14% over last year. In-state high school direct applications are also up by 3%.

OTHER BUSINESS AND DATE OF NEXT MEETINGS

The Trustees set the date of the December meeting as Thursday, December 15, and the October meeting as Friday, October 21.

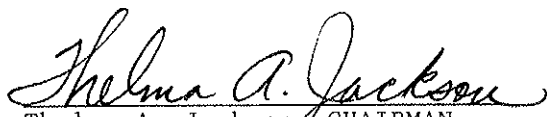
EXECUTIVE SESSION CONCERNING ACTING PRESIDENT

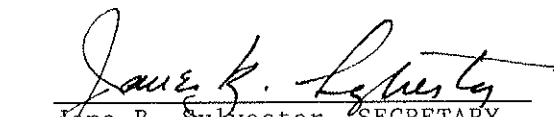
Following an executive session, Chairman Jackson was pleased to announce that Richard Schwartz would continue in the capacity of Acting President.

Subsequently, a special Board meeting was set for September 22 to deal with the issue of a presidential search.

ADJOURNMENT

The meeting adjourned at 4:30 PM.


Thelma A. Jackson, CHAIRMAN


Jane B. Sylvester, SECRETARY

Attachments



OFFICE OF THE
ATTORNEY GENERAL

July 18, 1983

RECEIVED
JUL 19 1983
T.E.S.C.
OFFICE OF THE PRESIDENT

MEMORANDUM

TO: Richard N. Schwartz
Vice President for Business
The Evergreen State College

FROM: Richard M. Montecucco
Assistant Attorney General

SUBJECT: Proposed Indemnification Policy

Because it appears that the college would like to adopt some sort of policy on indemnification, even though most institutions have not, I have roughed out the attached policy which pretty well mirrors the situation we have had in the past and what has to transpire in order for an employee to obtain indemnification in a lawsuit.

I think any policy along the lines of that proposed would accomplish the purpose of explaining to members of the Evergreen community that this type of benefit is available should the individual become involved in a lawsuit.

RMM:nst

Attachment

cc: Daniel J. Evans, President

RMM

INDEMNIFICATION POLICY

EAC 174- Introduction. State law authorizes the Board of Trustees of The Evergreen State College to have the State Attorney General's office defend a public officer, employee or agent of the institution who is involved in a legal action as a result of the activities carried out for the institution. In order to benefit from this indemnification statute, a person need only be acting within the scope of his/her duties or responsibilities and also have acted in good faith.

EAC 174- Procedure for Obtaining Indemnification. An individual at the college who is involved in a lawsuit and wishes to request defense by the state should by letter request of the Board of Trustees that he/she be indemnified. The letter should recite the facts giving rise to the lawsuit and should also indicate if the person was acting within the scope of his/her authority and duties and if he/she acted in good faith. See copy of form letter attached (Attachment A).

EAC 174- Authorizing Indemnification. The Board of Trustees will review each individual request for indemnification and, if it appears that the individual acted in good faith and within the scope of his/her authority and responsibilities, the Board of Trustees will grant indemnification to such person by resolution. See copy of form resolution attached (Attachment B).

EAC 174- Extent of Indemnification. Once indemnification is granted, all costs of defense of the lawsuit will be borne by the college, and any judgment which might be entered against the individual will also be paid by the college through the Tort Claims Revolving fund.

Attachment B

THE EVERGREEN STATE COLLEGE

RESOLUTION NO. 3-83

RESOLUTION OF THE BOARD OF TRUSTEES OF
THE EVERGREEN STATE COLLEGE
CONCERNING INDEMNIFICATION FOR WILLIAM C. MONTAGUE

WHEREAS, a lawsuit has been filed for damages in the amount of \$50,000 against William C. Montague, the State of Washington and The Evergreen State College; and

WHEREAS, the activities which gave rise to the lawsuit were those involving Mr. Montague as an Evergreen student and reporter on the Cooper Point Journal; and

WHEREAS, these activities of Mr. Montague were carried on in good faith and within the scope of his responsibilities; and

WHEREAS, the Board of Trustees has determined that William C. Montague should be granted indemnification concerning this lawsuit filed in King County and entitled Johnston v. Montague, et al.:

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby grants the request for indemnification by William C. Montague and hereby requests the Office of the Attorney General to provide defense and indemnification for Mr. Montague.

DATED this 9th day of June, 1983.

HERBERT GELMAN, Chairman
Board of Trustees

ATTEST:

ROBERT J. FLOWERS, Secretary
Board of Trustees

Attachment A

(Date)

Board of Trustees
The Evergreen State College
Olympia, Washington 98505

Dear Board Members:

A libel suit, Johnston v. Montague, et al., has been filed against The Cooper Point Journal, The Evergreen State College, The State of Washington and me by William Johnston, a former KAOS station manager and staff member, as a result of an article "College to Audit KAOS" published in the May 14, 1981, edition of The Cooper Point Journal. Damages in the amount of \$50,000 have been requested.

At the time I wrote the KAOS article, I was a paid employee of The Cooper Point Journal and thus of the college. I was acting in a manner which both my editor and I considered to be in good faith and within the parameters of my duties and responsibilities as associate editor. Therefore, I respectfully request that the Board formally indemnify me in this matter.

Sincerely,

William Montague

established in WAC 174-116-260 of these regulations or may dismiss the fine. The chairperson may grant an extension of time within which to comply with the review and/or appeal decision. A person charged with a parking infraction who deems himself or herself aggrieved by the final decision in an internal adjudication may, within ten days after written notice of the final decision, appeal by filing a written notice thereof with the college or university police force. Documents relating to the appeal shall immediately be forwarded to the district court in the county in which the offense was committed, which court shall have jurisdiction over such offense and such appeal shall be heard de novo.

NEW SECTION

WAC 174-116-260 FINES AND PENALTIES. The following schedule of fines for violations of the rules listed in chapter 174-116 WAC is hereby established:

No.	Offense	Maximum Fine
1.	No valid permit	\$5.00
2.	Overtime parking	10.00
3.	Improper position	5.00
4.	Parked where signs prohibit	15.00
5.	Parked within 15 feet of hydrant	15.00
6.	Handicapped Zone	15.00
7.	Parked within intersection	10.00
8.	Within 30 feet of intersection	5.00
9.	Blocking driveway	10.00
10.	Parked at painted curb	10.00
11.	Parked in prohibited zone	15.00
12.	Obstructing traffic	10.00
13.	Parked in bus zone	15.00
14.	Parked in fire lane	15.00
15.	Altered permit	25.00

REPEALER

The following sections of the Washington Administrative Code are each repealed:

- (1) WAC 174-116-090 MOTOR VEHICLE REGISTRATION.
- (2) WAC 174-116-105 VALID PARKING PERMITS REQUIRED.
- (3) WAC 174-116-115 PARKING PERMIT REGULATIONS.
- (4) WAC 174-116-135 PARKING PERMITS DISPLAYED.
- (5) WAC 174-116-140 PARKING AREAS.
- (6) WAC 174-116-150 VIOLATION, PENALTY, IMPOUNDING.
- (7) WAC 174-116-160 BICYCLE PARKING.
- (8) WAC 174-116-170 BICYCLE TRAVEL.
- (9) WAC 174-116-180 BICYCLE EQUIPMENT, BRAKES, LIGHTS.

Chapter 174-116 WAC

~~((CAMPUS-PARKING-AND-TRAFFIC-REGULATIONS))~~ PARKING AND TRAFFIC RULES

WAC

- 174-116-010 Purpose.
- 174-116-011 Regulations.
- 174-116-020 Authority.
- 174-116-030 Enforcement.
- 174-116-040 ~~((Scope))~~ Parking permits--General information.
- 174-116-041 Parking permits--Visitors and guests.
- 174-116-042 Parking permits--Special permits.
- 174-116-043 Parking permits--Issuance and display.
- 174-116-044 Parking permits--Validity periods.
- 174-116-045 Parking permits--Housing residents.
- 174-116-046 Parking permits--Revocations.
- 174-116-050 Responsibility.
- 174-116-060 ~~((Traffic-regulations-applicable))~~ Designated and assigned parking areas.
- 174-116-070 ~~((Speed))~~ Parking within designated spaces.
- 174-116-071 Parking--Prohibited places.
- 174-116-080 Access.
- 174-116-090 ~~((Motor-vehicle-registration))~~ Disabled and Inoperative Vehicles--Impounding.
- 174-116-091 Special parking and traffic regulations and restrictions authorized.
- 174-116-092 Parking of motorcycles and scooters.
- 174-116-119 Fines.
- 174-116-121 Election to pay or contest a citation.
- 174-116-122 Appeal/hearing procedure.
- 174-116-123 Establishment of Citation Review Committee.
- 174-116-124 Jurisdiction of the Citation Review Committee.
- 174-116-125 ~~((Valid-parking-permits))~~ Appeal/hearing procedure--Rules of evidence.
- 174-116-126 Appeal/hearing--Procedure--Review decision.
- 174-116-127 Appeal/hearing--Mitigation and suspension of fines.
- 174-116-128 Appeal/hearing--Review decision of Citation Committee.
- 174-116-180 Bicycle equipment, brakes, lights.
- 174-116-200 Impounding of vehicles.
- 174-116-210 Delegation of authority.
- 174-116-220 Prohibition of Dumping.
- 174-116-250 Prohibition of literature.
- 174-116-260 Fines and penalties.
- 174-116-270 Presumption in reference to illegal parking.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

- WAC 174-116-010 PURPOSE. (1) To expedite college business, protect state property, provide maximum safety and convenience for all.
- (2) To assure access at all times for emergency vehicles and personnel.
- (3) To provide funds to obtain and maintain suitable campus parking facilities.
- (4) ~~((These-regulations-shall-become-effective-on--November--26--1972))~~ To protect and control pedestrian and vehicular traffic.

NEW SECTION

WAC 174-116-011 REGULATIONS. Drivers and owners of vehicles on the property of The Evergreen State College are responsible for safe and lawful operation of those vehicles. Individuals operating or parking vehicles on college owned property must at all times comply with the campus regulations, ordinances of Thurston county and laws of the state of Washington.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-020 AUTHORITY. (1) The Evergreen State College through its Board of Trustees is authorized to establish traffic and parking regulations as stated in RCW 28B.10.560. The Board of Trustees reserves the right to add, delete or modify portions of these regulations including the appended fee and fine and penalty schedules in accordance with its regulations and applicable laws. Administration and enforcement of these regulations will be delegated to the Parking and Security Offices.

(2) The Evergreen State College Parking Supervisor is authorized to issue annual, quarterly, daily, car-pool, housing and special permits to park upon the campus. Special permits are issued pursuant to the provisions of these regulations. All outstanding campus parking violations must be satisfactorily settled before a special permit will be issued or renewed.

(3) The authority and powers conferred upon the Parking Supervisor or the Security Chief by these regulations shall be subject to delegation by them to their subordinates.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-030 ENFORCEMENT. ((Personnel of the Security Office and any other enforcement agency having jurisdiction shall be responsible for enforcing all of the parking and traffic regulations of the campus.)) Security Office personnel shall be responsible for enforcing traffic regulations on the campus. This shall include all College Parking regulations and "rules of the road" as set forth in Title 46 of the Revised Code of the State of Washington.

Whenever a vehicle is observed in violation of the regulations herein set forth, the Parking Personnel shall take the registration number and other identifiable information and shall affix to such vehicle a parking citation in conspicuously visible location.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-040 ((SEPERE)) PARKING PERMITS--GENERAL INFORMATION.
((These laws and regulations shall be applicable at all times and on all lands which are or may hereafter be devoted mainly to educational, research, housing, recreational, or parking activities of The Evergreen State College.)) (1) Parking permits are issued by the Parking Office following application and the payment of the appropriate fees. All privately owned motor vehicles parked or left standing unattended

on College property are required to display a currently valid Evergreen parking permit during the hours of 7:00 a.m. to 4:00 p.m., Monday through Friday, and at such other times as the college may designate.

(2) Fees for parking permits are as follows:

	<u>Automobile</u>	<u>Motorcycle</u>
<u>Quarterly</u>	<u>16.00</u>	<u>8.00</u>
<u>Annual</u>	<u>40.00</u>	<u>20.00</u>
<u>Daily</u>	<u>.50</u>	<u>.50</u>

NEW SECTION

WAC 174-116-041 PARKING PERMITS--VISITORS AND GUESTS. All visitors, including guests, salespersons, maintenance or service personnel and all other members of the public will park in available space as directed by The Evergreen State College parking personnel and will pay the established parking fee except as noted below:

(1) Federal, state, county, city, school district and similar governmental personnel, on official business in vehicles with tax exempt licenses, will be admitted without charge.

(2) Vehicles owned by contractors and their employees working on campus construction may be parked within available construction sites or designated areas without charge.

(3) Members of the press, television, radio and wire services, on official business, may park without charge, but must have a permit authorized by the Parking Office to do so.

(4) Taxis and commercial delivery vehicles may enter the campus without payment of the parking fee for pick up and delivery of passengers, supplies and equipment only.

(5) Visitors and guests attending special college events may be parked without charge if prior arrangement has been made with the Parking Office.

(6) Visitors invited to the campus for the purpose of rendering uncompensated services to The Evergreen State College may be parked without charge, provided prior notification is given to the Parking Office.

NEW SECTION

WAC 174-116-042 PARKING PERMITS--SPECIAL PERMITS. (1) Physically handicapped faculty members, staff personnel, visitors, and students may apply through the Parking Office for a special parking permit in a reserved area. Such individuals must obtain a certificate from a physician indicating that special parking assignment is essential in order for them to perform their assigned duties or to attend classes. Such persons, however, must also display on their vehicle a valid daily, quarterly or annual parking permit. State of Washington handicapped "Overtime Parking" permits will be honored as valid on campus.

(2) Salespersons, maintenance and service personnel, persons serving the college without pay, and other visitors who must frequently visit the campus on college business, may be issued a parking permit from the Parking Office, upon request from the division benefiting from the services provided, subject to approval by the Parking Supervisor. Parking on campus will not be provided to persons intending to make personal solicitations from or personal sales to college employees or students.

(3) Overnight or extended period permits may be obtained from the Parking Office for disabled vehicles, field trips or other valid reasons that may necessitate the operator's leaving the vehicle on campus.

NEW SECTION

WAC 174-116-043 PARKING PERMITS--ISSUANCE AND DISPLAY. (1) All parking permits must be positioned so that they are clearly visible and readable from the outside of the vehicle.

(2) Car pool permits may be purchased by faculty, staff and students. One transferable permit will be issued by the Parking Office for each car pool. This permit is transferable only among the registered members of the car pool. The permit must be displayed on the dashboard in the left corner in front of the driver on a registered car pool vehicle.

(3) Annual and quarterly parking permits must be affixed to the vehicle's rear window with the following exceptions:

(a) On convertibles and trucks they may be affixed in the lower left corner of the front windshield.

(b) On station wagons and cars with heated rear windows permits must be affixed in the left rear side window.

(c) Motorcycle permits must be affixed in a conspicuous place.

(4) Daily parking permits shall be placed on the dash board with date stamp facing up, so as to be clearly visible from the exterior of the vehicle.

(5) A parking permit application is required to be on file for each vehicle displaying a permit. Ownership of permits is not transferable except when approved by the Parking Supervisor. The Parking Supervisor can approve replacement of or transfer of a permit under the following conditions:

(a) The person relinquishing ownership and the purchaser appear in person at the Parking Office when requesting a transfer.

(b) The former owner relinquishes all ownership or claims to said permit.

(c) The purchaser qualifies for ownership.

(d) The new owner completes a new application form for the permit.

(e) If the vehicle is sold, and for any reason a replacement permit is requested, the old permit must be removed and presented to the Parking Office to be eligible for a replacement or a refund.

(6) Faculty, staff and students may be issued a duplicate car permit for another vehicle either personally owned, family owned, or owned by their employer. Proof of ownership or authorization from the owner for all additional vehicles must be presented. However, two vehicles bearing the same numbered permit may not be parked on campus at the same time unless one also displays a valid daily permit.

(7) Any permit holder may obtain a temporary permit at the Parking Office without charge for another vehicle when the vehicle for which a permit was purchased is unavailable due to repair or for another valid reason. These permits are good for a period of two weeks only, and may not be renewed.

NEW SECTION

WAC 174-116-044 PARKING PERMITS--VALIDITY PERIODS. (1) Annual parking permits shall be valid from the date of issue until the first day of the following fall quarter.

(2) Quarterly parking permits shall be valid from the date issued each academic quarter until the first day of the following academic quarter.

(3) Daily permits shall be valid from the time purchased until 4:00 p.m. on the date of purchase.

NEW SECTION

WAC 174-116-045 PARKING PERMITS--HOUSING RESIDENTS. Under the following conditions, College Housing residents will, upon request, receive a parking permit at no charge.

(1) Permits must be renewed quarterly.

(2) Housing residents must show proof of ownership before permit will be issued.

(3) Free parking will be discontinued when students terminate their contract with Housing.

(4) Housing will verify residency status to the Parking Office.

(5) Only one permit per resident will be issued free. Additional permits may be purchased through regular procedures.

(6) Resident parking permits will only be valid for parking in the modular parking areas or in "F" lot. A regularly purchased permit is required for use in all other parking areas.

NEW SECTION

WAC 174-116-046 PARKING PERMITS--REVOCATIONS. Permits are licenses and the property of the college, and may be recalled for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists.

(2) When a permit is used by an unauthorized individual.

(3) Falsification on a second car parking permit application.

(4) Counterfeiting or altering of permits.

(5) Appeals of permit revocations must be made in accordance with the Institutional Hearing procedures outlined in Citation Review Committee's governing document.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-050 RESPONSIBILITY. ((The--operator--or--owner--or both--of--any-vehicle-driven-in-areas-covered-under-the-scope-of-this policy-shall-be-held-responsible-for-obeying-all-state-laws-and-campus traffic-and-parking-regulations--

Ignorance-of-these-laws-and-regulations-shall-not-be-an-excuse for-their-violation.)) The registered owner or permit holder shall be responsible for all parking violations involving the vehicle on which the permit is displayed.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-060 ((TRAFFIC--REGULATIONS-APPLICABLE--)) DESIGNATED AND ASSIGNED PARKING AREAS. The motor vehicle laws of the state of Washington and any rules stated herein shall be applicable at all times in areas covered under the scope of this policy.

The College assumes no liability for vehicles operated or parked on college properties. No bailment, but only a license, is created by the purchase and/or issuance of any permit.

(1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked in any parking area without a permit for that area.

(3) Vehicles may only park within marked spaces provided in each parking lot.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-070 ((SPEED)) PARKING WITHIN DESIGNATED SPACES. Unless otherwise posted, the maximum speed limit in areas covered under the scope of this policy shall be 25 miles per hour for all motor vehicles and bicycles.

No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the violator to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

NEW SECTION

WAC 174-116-071 PARKING--PROHIBITED PLACES. (1) No person shall stop, stand or park any vehicle so as to obstruct traffic along or upon any street or sidewalk.

(2) No vehicle shall park or stand except momentarily to pick up or discharge passengers:

- (a) At any place where official signs prohibit parking;
- (b) Within 15 feet of a fire hydrant or in fire lanes;
- (c) On any lawn or grass areas except as required for maintenance or construction authorized by the Director of Facilities;
- (d) In areas with posted time limits;
- (e) Within an intersection;
- (f) So as to block a curb cut or driveway;
- (g) Adjacent to a yellow or red painted curb.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-080 ACCESS. Privately owned motor vehicles shall be driven only on those roadways designed and built for their use.

Marked "service" drives shall be used only by college employees conducting official business, emergency vehicles, and authorized delivery vehicles. Any and all other vehicles are prohibited from traveling or parking in these areas ((for any reason)).

Brick-paved and other designated areas are for pedestrian and bicycle traffic only, except as needed for emergency vehicle or for maintenance of buildings or grounds.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-090 (~~MOTOR-VEHICLE-REGISTRATION~~) DISABLED AND INOPERATIVE VEHICLES--IMPOUNDING. (~~In accordance with state laws, all motor vehicles must be currently licensed and display appropriate plates.~~) No disabled or inoperative vehicle shall be parked on the campus for a period in excess of 72 hours. Vehicles which have been parked for periods in excess of 72 hours and which appear to be disabled or inoperative may be impounded and stored at the expense of the registered owner. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from such impounding and storage. Notice of intent to impound will be posted on the vehicle 24 hours prior to impound. In any case the owner or operator of a disabled vehicle should notify the Security/Parking Office of the vehicle's location and estimated time of removal or repair.

NEW SECTION

WAC 174-116-091 SPECIAL PARKING AND TRAFFIC REGULATIONS AND RESTRICTIONS AUTHORIZED. (1) During special conditions causing additional heavy traffic and during emergencies, the Parking Supervisor is authorized to impose additional traffic and parking regulations and restrictions for the achievement of the specified objectives of these regulations and provide appropriate notice thereof whenever possible.

(2) The Director of Facilities is authorized to erect signs, barricades and other structures and to paint marks and other directions upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational, recreational, or parking activities of The Evergreen State College. Such signs, barricades, structures, markings and directions shall be so made and placed as in the opinion of the Director of Facilities will best effectuate the objectives of these regulations.

(3) No person without authorization from the Director of Facilities shall move, deface, or in any way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

NEW SECTION

WAC 174-116-092 PARKING OF MOTORCYCLES AND SCOOTERS. (1) Motorcycles, motorized bicycles and scooters are for the purpose of these regulations considered to be motor vehicles and are subject to all traffic and parking rules and regulations controlling other motor vehicles.

(2) Motorcycles, motorized bicycles and scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles, motorized bicycles and scooters are not permitted on paths, sidewalks, in buildings or in pedestrian areas at any time.

NEW SECTION

WAC 174-116-119 FINES. (1) Payment.

(a) Persons cited for violation of these regulations may respond either by filing a written request for a review hearing or as detailed

in WAC 174-116-122 or by paying a fine within ten days of receipt of the citation.

(b) All fines are payable to The Evergreen State College cashier. Fines may be paid in person or by mail by sending the citation and amount of fine to The Evergreen State College cashier. The cashier will not discuss the appropriateness of the fine with the payee.

(2) Unpaid.

If any fine remains unpaid after ninety days, the following action will be taken by The Evergreen State College:

(a) Academic registration for the following quarter shall be prohibited.

(b) The College may impound the violator's vehicle.

(c) Transcripts shall be held for any persons having outstanding unpaid fines.

(d) The amount of the fine may be deleted from an employee's paycheck unless payment of the fine has been made.

NEW SECTION

WAC 174-116-121 ELECTION TO PAY OR CONTEST A CITATION. The summons or parking/traffic violation notice issued pursuant to these regulations shall direct the alleged violator that he/she may elect either to pay the fine applicable to the violation(s) charged or to request a hearing with the Citation Review Committee.

(1) If the alleged violator chooses to pay the fine(s) he/she may do so by paying directly to The Evergreen State College cashier or by mail, forwarding the appropriate amount by check or money order to The Evergreen State College, attention cashier. This shall be accomplished within ten days of the date of citation. Such payment shall constitute a waiver of the right to request a hearing.

(2) If the alleged violator chooses to contest, a written request for a hearing will be filed with the Chairperson of the Citation Review Committee, through the Dean of Student and Enrollment Services. Requests for a hearing may be submitted without posting of the fine within ten days after date of citation.

(3) Failure of an alleged violator to appear before the Citation Review Committee on the date set or to apply for a continuance of the review date shall, unless extenuating circumstances are shown, constitute an admittance of guilt to the complaint and such penalty or fine may be imposed by the Citation Review Committee as is appropriate under the schedule of fines established pursuant to WAC 174-116-260.

NEW SECTION

WAC 174-116-122 APPEAL/HEARING PROCEDURE. Persons receiving citations for violations of these regulations may choose to appeal the citation through the following procedure:

(1) The initial appeal must be in writing and must be submitted to the chairperson of the Citation Review Committee through the Dean of Student Enrollment Services within ten days of the date of the violation.

(2) The Citation Review Committee will review the written appeal and notify the appellant within ten class days of their decision.

(3) If the initial appeal is rejected by the Citation Review Committee, the appellant may request a hearing before the Citation Review Committee to present his/her case in person. The Citation Review Committee will meet a minimum of once a month (usually the first Wednesday of the month) to hear such cases.

(4) Persons requesting a hearing before the Citation Review Committee must make such request to the chairperson of the Citation Review Committee in writing through the Dean of Student and Enrollment Services within twenty class days of notification of appeal rejection.

(5) The appellant will be notified by the chairperson of the Citation Review Committee of the time and date of such hearing.

Decisions rendered by the Citation Review Committee on cases heard shall be binding except as provided in WAC 174-116-180.

Forms for the purpose of appeal may be obtained from the Dean of Student and Enrollment Services.

NEW SECTION

WAC 174-116-123 ESTABLISHMENT OF CITATION REVIEW COMMITTEE. The Evergreen State College Citation Review Committee is hereby established, the members of which shall be composed of the following:

- (1) One faculty member chosen by the Vice President and Provost;
- (2) One exempt staff member chosen by the President;
- (3) One classified staff member chosen by the Vice President for Business; and
- (4) Two currently enrolled students chosen by the Evergreen Council.

NEW SECTION

WAC 174-116-124 JURISDICTION OF THE CITATION REVIEW COMMITTEE. The Citation Review Committee established by these regulations shall have jurisdiction to hear and review citations involving alleged violations of these rules and to render a judgment as to the validity of such citations.

AMENDATORY SECTION (Amending Order 77-3, filed 12/16/77)

WAC 174-116-125 (~~VALID-PARKING-PERMITS~~) APPEAL/HEARING PROCEDURE--RULES OF EVIDENCE. Quarter periods are defined as fall, winter, spring and summer. Annual permits are valid for one calendar year, quarterly permits are valid until the beginning of the next quarter as listed on the academic schedule, monthly permits are valid for one calendar month, daily permits are valid for date stamped only.

The rules of evidence applicable to courts of law shall apply and any oral or documentary evidence may be received, but the chairman of the Citation Review Committee may exclude such evidence as is irrelevant, immaterial or unduly repetitious.

NEW SECTION

WAC 174-116-126 APPEAL/HEARING--PROCEDURE--REVIEW DECISION. Upon conclusion of the review, the chairman of the Citation Review Committee shall render the decision of the review committee as to guilty or not guilty and shall assess fines or penalties not in excess of the schedule of fines set forth in WAC 174-116-260. The decision

shall be recorded in the records maintained by the Parking Office and the chairman of the Citation Review Committee shall endorse his/her signature therein, certifying the record to be correct.

NEW SECTION

WAC 174-116-127 APPEAL/HEARING--MITIGATION AND SUSPENSION OF FINES. Upon the showing of good cause of mitigating circumstances, the Citation Review Committee may impose any lesser fine than those established in WAC 174-116-260 of these regulations or may dismiss the fine. The chairman may grant an extension of time within which to comply with the review decision.

NEW SECTION

WAC 174-116-128 APPEAL/HEARING--REVIEW DECISION OF CITATION COMMITTEE. Upon conclusion of the review, if an individual wishes, an appeal of the review may be made within ten days by petitioning the President for a formal hearing in accordance with WAC 174-108-06005.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-180 BICYCLE EQUIPMENT, BRAKES, LIGHTS. ((~~RCW 46-61-780--Lamps and other equipment on bicycles--as a matter of information--Washington law~~)) As a matter of information, Washington law (RCW 46.61.780: Lamps and other equipment on bicycles) requires that:

(1) Every bicycle when in use during the hours of darkness as defined in RCW 46.37.020 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the State Commission on Equipment, which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(2) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

NEW SECTION

WAC 174-116-200 IMPOUNDING OF VEHICLES. Any vehicle parked upon property of The Evergreen State College in violation of these regulations, including the motor vehicle and other traffic laws of the state of Washington may be impounded or immobilized and taken to such place for storage as the Campus Parking Supervisor selects. The expense of such impounding and storage shall be charged to the owner or operator of the vehicle and paid by him/her prior to its release. The college and its employees shall not be liable for loss or damage of any kind resulting from such immobilization, impounding and/or storage.

NEW SECTION

WAC 174-116-210 DELEGATION OF AUTHORITY. The authority and powers conferred upon the Parking Supervisor or the Security Chief by these regulations shall be subject to delegation by them to their subordinates.

NEW SECTION

WAC 174-116-220 PROHIBITION OF DUMPING. No person shall dump any materials on the campus without authorization.

NEW SECTION

WAC 174-116-250 PROHIBITION OF LITERATURE. Distribution of literature by placing the same on motor vehicles parked on the premises of The Evergreen State College is hereby prohibited. Literature includes but is not limited to pamphlets, flyers, or stickers.

NEW SECTION

WAC 174-116-260 FINES AND PENALTIES. The following schedule of fines for violations of the rules listed in chapter 174-116 WAC is hereby established:

No.	Offense	Maximum Fine
1.	No valid permit	\$500.00
2.	Overtime parking	15.00
3.	Improper position	5.00
4.	Parked where signs prohibit	15.00
5.	Parked within 15 feet of hydrant	15.00
6.	No parking of Handicapped Zone	15.00
7.	Parked within intersection	10.00
8.	Within 30 feet of intersection	5.00
9.	Blocking curb cut/driveway	10.00
10.	Parked at painted curb	10.00
11.	Parked in prohibited zone	15.00
12.	Obstructing traffic	10.00
13.	Parked in bus zone	15.00
14.	Parked in fire lane	15.00
15.	Altered permit	25.00
16.	Other violations of TESC Parking and Traffic Regulations	10.00

NEW SECTION

WAC 174-116-270 PRESUMPTION IN REFERENCE TO ILLEGAL PARKING. In any hearing alleging the violation of any parking regulation, proof that the particular vehicle described was stopping, standing or parked

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in violation of any such regulation together with proof that the person named in the complaint at the time of such violation was the registered owner or permit holder of such vehicle shall constitute in evidence a prima facie presumption that the owner was the person who parked or placed such vehicle in the location the violation occurred.

REPEALER

The following sections of the Washington Administrative Code are each repealed:

- (1) WAC 174-116-115 PARKING PERMIT REGULATIONS.
- (2) WAC 174-116-135 PARKING PERMITS DISPLAYED.
- (3) WAC 174-116-140 PARKING AREAS.
- (4) WAC 174-116-150 VIOLATION, PENALTY, IMPOUNDING.